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### 1016-CV31901 - DEBRA OLSON V ST LUKE'S HOSPITAL OF KANSAS CITY

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Displaying 1 thru 6 of 27 records for all dockets returned for case 1016-CV31901.

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10/19/2010

Docket Entry: Pet Filed in Circuit Ct

Docket Entry: Confid Filing Info Sheet Filed

Docket Entry: Judge Assigned

10/22/2010

Docket Entry: Case Mgmt Conf Scheduled

Associated Docket Entries: 02/07/2011 - Hearing Continued/Rescheduled

Associated Events: 02/07/2011, 09:00:00 - Case Management Conference

Docket Entry: Summons Issued- 1st Class Mail

Text: Document ID: 10-SFCM-339, for ST LUKE'S HOSPITAL OF KANSAS CITY.

12/08/2010

Docket Entry: Corporation Served

Text: Document ID - 10-SFCM-339; Served To - ST LUKE'S HOSPITAL OF KANSAS CITY; Server - ; Served Date - 12-NOV-10; Served Time - 00:00:00; Service Type - Special Process Server; Reason Description - Served

Exhibit 4

Displaying 1 thru 6 of 27 records for all dockets returned for case 1016-CV31901.

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## 1016-CV31901 - DEBRA OLSON V ST LUKE'S HOSPITAL OF KANSAS CITY

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Displaying 7 thru 12 of 27 records for all dockets returned for case 1016-CV31901.

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12/09/2010	<b>Docket Entry:</b> Answer Filed <b>Text:</b> to Petition for Damages <b>Filing Party:</b> OLSON , DEBRA
01/11/2011	<b>Docket Entry:</b> Certificate of Service <b>Filing Party:</b> ST LUKE'S HOSPITAL OF KANSAS CITY
01/24/2011	<b>Docket Entry:</b> Filing: <b>Text:</b> Substitution of Counsel <b>Filing Party:</b> OLSON , DEBRA
02/07/2011	<b>Docket Entry:</b> Hearing Continued/Rescheduled <b>Associated Docket Entries:</b> 10/22/2010 - Case Mgmt Conf Scheduled <b>Associated Events:</b> 02/07/2011 , 09:00:00 - Case Management Conference
02/09/2011	<b>Docket Entry:</b> Case Mgmt Conf Scheduled <b>Associated Docket Entries:</b> 02/28/2011 - Hearing Continued/Rescheduled <b>Associated Events:</b> 02/28/2011 , 09:00:00 - Case Management Conference
02/10/2011	<b>Docket Entry:</b> Order <b>Text:</b> Order Substituting Counsel



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1016-CV31901 - DEBRA OLSON V ST LUKE'S HOSPITAL OF KANSAS CITY

Case Header Parties & Attorneys Docket Entries Charges, Judgments & Sentences Service Information Filings Due Scheduled Hearings & Trials Civil Judgments Garnishments/Execution

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Displaying 13 thru 18 of 27 records for all dockets returned for case 1016-CV31901.

1 2 3 4 5

02/28/2011

Docket Entry: Hearing Continued/Rescheduled

Associated Docket Entries: 02/09/2011 - Case Mgmt Conf Scheduled

Associated Events: 02/28/2011, 09:00:00 - Case Management Conference

Docket Entry: Case Mgmt Conf Scheduled

Associated Docket Entries: 03/07/2011 - Hearing Held

Associated Events: 03/07/2011, 09:00:00 - Case Management Conference

03/07/2011

Docket Entry: Order

Text: Amended Civil Case Management Scheduling Order

Docket Entry: Case Management Ordered

Text: CMC is set for February 28, 2011 at 9:00am

Docket Entry: Case Management Ordered

Text: CMC is set for March 7, 2011 at 9:00am

Docket Entry: Order

Text: Pretrial Order

Displaying 13 thru 18 of 27 records for all dockets returned for case 1016-CV31901.

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Released 03/09/2011



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1016-CV31901 - DEBRA OLSON V ST LUKE'S HOSPITAL OF KANSAS CITY

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Displaying 19 thru 24 of 27 records for all dockets returned for case 1016-CV31901.

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**03/07/2011**      **Docket Entry:** Hearing Held  
**Associated Docket Entries:** 02/28/2011 - Case Mgmt Conf Scheduled  
**Associated Events:** 03/07/2011 , 09:00:00 - Case Management Conference  
**Docket Entry:** Pre-trial Conference Scheduled  
**Associated Events:** 01/05/2012 , 13:30:00 - Pre-trial Conference  
**Docket Entry:** Jury Trial Scheduled  
**Associated Events:** 01/09/2012 , 09:00:00 - Jury Trial

**03/15/2011**      **Docket Entry:** Certificate of Service  
**Filing Party:** OLSON , DEBRA

**04/01/2011**      **Docket Entry:** Filing:  
**Text:** Designation of Expert Witnesses  
**Filing Party:** OLSON , DEBRA  
**Docket Entry:** Certificate of Service  
**Filing Party:** OLSON , DEBRA

Displaying 19 thru 24 of 27 records for all dockets returned for case 1016-CV31901.

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Displaying 25 thru 27 of 27 records for all dockets returned for case 1016-CV31901.

1 2 3 4 5

05/10/2011

**Docket Entry:** Motion for Leave

**Text:** to File First Amended Petition

**Filing Party:** OLSON , DEBRA

**Associated Docket Entries:** 06/01/2011 - Motion Granted/Sustained

Plaintiff's Motion for Leave to File First Amended Petition is Granted

06/01/2011

**Docket Entry:** Motion Granted/Sustained

**Text:** Plaintiff's Motion for Leave to File First Amended Petition is Granted

**Associated Docket Entries:** 05/10/2011 - Motion for Leave  
to File First Amended Petition

**Docket Entry:** Order

**Text:** Order Granting Plaintiff's Motion for Leave to File First Amended Petition

Displaying 25 thru 27 of 27 records for all dockets returned for case 1016-CV31901.

1 2 3 4 5



IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

Judge or Division: BRIAN CURTIS WIMES	Case Number: 1016-CV31901
Plaintiff/Petitioner: DEBRA OLSON	Plaintiff's/Petitioner's Attorney/Address: MARK ELDON MEYER CASTLE LAW OFFICE OF K C 818 GRAND BLVD SUITE 700 KANSAS CITY, MO 64106
vs.	
Defendant/Respondent: ST LUKE'S HOSPITAL OF KANSAS CITY	Court Address: 415 E 12th KANSAS CITY, MO 64106
Nature of Suit: CC Employmnt Discrmntn 213.111	

(Date File Stamp)

Summons for Service by First Class Mail

The State of Missouri to: ST LUKE'S HOSPITAL OF KANSAS CITY  
Alias:

SERVE RA: JULIE QUIRIN  
4401 WORNALL RD  
KANSAS CITY, MO 64114

COURT SEAL OF

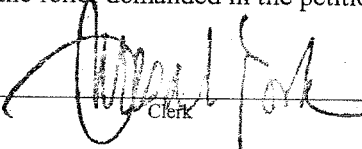


JACKSON COUNTY

You are summoned and, within 30 days after the enclosed acknowledgment is filed, you must file an answer to the enclosed petition with the clerk of this court and also must serve this answer upon Plaintiff's'/Petitioner's attorney at the above address. If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition.

10-22-10

Date Issued

  
Clerk

Further Information:

Directions to Clerk

The clerk should issue one copy of this summons for each Defendant/Respondent to be served by first class mail. Under Section 506.150.4, RSMo, service by first class mail may be made by Plaintiff/Petitioner or any person authorized to serve process under Section 506.140, RSMo.

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY

DEBRA OLSON,

PLAINTIFF(S),

VS.

CASE NO. 1016-CV31901  
DIVISION 18

ST LUKE'S HOSPITAL OF KANSAS CITY,

DEFENDANT(S).

NOTICE OF CASE MANAGEMENT CONFERENCE FOR CIVIL CASE  
AND ORDER FOR MEDIATION

---

NOTICE IS HEREBY GIVEN that a Case Management Conference will be held with the Honorable **BRIAN CURTIS WIMES** on **07-FEB-2011** in **DIVISION 18** at 09:00 AM. All Applications for Continuance of a Case Management Conference should be filed on or before Wednesday of the week prior to the case management setting. Applications for Continuance of a Case Management Conference shall comply with Supreme Court Rule and 16<sup>th</sup> Cir. R. 34.1. Continuance of a Case Management Conference will only be granted for good cause shown because it is the desire of the Court to meet with counsel and parties in all cases within the first 4 months that a case has been on file. All counsel and parties are directed to check Case.NET on the 16<sup>th</sup> Judicial Circuit web site at [www.16thcircuit.org](http://www.16thcircuit.org) after filing an application for continuance to determine whether or not it has been granted.

A lead attorney of record must be designated for each party as required by Local Rule 3.5.1. A separate pleading designating the lead attorney of record shall be filed by each party as described in Local Rule 3.5.2. The parties are advised that if they do not file a separate pleading designating lead counsel, even in situations where there is only one attorney representing the party, JIS will not be updated by civil records department, and copies of orders will be sent to the address currently shown in JIS. Civil Records does not update attorney information from answers or other pleadings. The Designation of Lead Attorney pleading shall contain the name of lead counsel, firm name, mailing address, phone number, FAX number and E-mail address of the attorney who is lead counsel.

At the Case Management Conference, counsel should be prepared to address at least the following:

- a. A trial setting;
- b. Expert Witness Disclosure Cutoff Date;
- c. A schedule for the orderly preparation of the case for trial;
- d. Any issues which require input or action by the Court;
- e. The status of settlement negotiations.

### **MEDIATION**

The parties are ordered to participate in mediation pursuant to Supreme Court Rule 17. Mediation shall be completed within 10 months after the date the case is filed for complex cases, and 6 months after the date the case is filed for other circuit cases, unless otherwise ordered by the Court. Each party shall personally appear at the mediation and participate in the process. In the event a party does not have the authority to enter into a settlement, then a representative of the entity that does have actual authority to enter into a settlement on behalf of the party shall also personally attend the mediations with the party.

The parties shall confer and select a mutually agreeable person to act as mediator in this case. If the parties are unable to agree on a mediator the court will appoint a mediator at the Case Management Conference.

Each party shall pay their respective pro-rata cost of the mediation directly to the mediator.

### **POLICIES/PROCEDURES**

Please refer to the Court's web page [www.16circuit.org](http://www.16circuit.org) for division policies and procedural information listed by each judge.

**/S/ BRIAN CURTIS WIMES**

**BRIAN CURTIS WIMES, Circuit Judge**

### **Certificate of Service**

This is to certify that a copy of the foregoing was mailed postage pre-paid or hand delivered to the plaintiff with the delivery of the file-stamped copy of the petition. It is further certified that a copy of the foregoing will be served with the summons on each defendant named in this action.

**Attorney for Plaintiff(s):**

MARK ELTON MEYER, CASTLE LAW OFFICE OF K C, 818 GRAND BLVD SUITE 700,  
KANSAS CITY, MO 64106

**Defendant(s):**

ST LUKE'S HOSPITAL OF KANSAS CITY

Dated: 22-OCT-2010

**Teresa L. York**  
Court Administrator



**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY**

**Debra Olson**

**Plaintiff,**

**vs.**

**St. Luke's Hospital of Kansas City**

**Serve at:**

**Julie Quirin, Registered Agent**

**4401 Wornall Rd.**

**Kansas City, MO 64114**

**Defendant.**

**Case No. 1016-CV31901**

**Division 18**

**NOTICE**

**TO: Julie Quirin, Registered Agent  
4401 Wornall Rd.  
Kansas City, MO 64114**

The enclosed summons and petition are served pursuant to Missouri Supreme Court Rule 54.16.

You may sign and date the acknowledgment part of this form and return one copy of the completed form to the sender within thirty days of October 27, 2010.

If you are served on behalf of a corporation, unincorporated association, including a partnership, or other entity, you must indicate under your signature your relationship to that entity. If you are served on behalf of another person and you are authorized to receive process, you must indicate under your signature your authority.

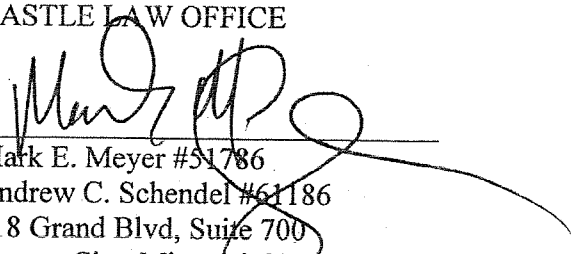
If you do not complete and return the form to the sender within thirty days, you or the party on whose behalf you are being served may be required to pay any expenses incurred in serving a summons and petition in any other manner permitted by law.

If you do complete and return this form, you or the party on whose behalf you are being served must answer the petition within thirty days of the date you sign the acknowledgment below. If you fail to do so, judgment by default may be taken against you for the relief demanded in the petition.

**I DECLARE, UNDER PENALTY OF PERJURY, THAT THIS NOTICE WAS MAILED  
ON October 27, 2010.**

Respectfully,

CASTLE LAW OFFICE



Mark E. Meyer #51786  
Andrew C. Schendel #61186  
818 Grand Blvd, Suite 700  
Kansas City, Missouri 64106  
(816) 283-0303 phone  
(816) 842-0016 facsimile  
mmeyer@castlelaw-kc.com  
aschendel@castlelaw-kc.com  
ATTORNEYS FOR PLAINTIFF

**ACKNOWLEDGMENT OF RECEIPT  
OF SUMMONS AND PETITION**

I declare, under penalty of filing a false affidavit, that I received a copy of the Summons and of the Petition in the above captioned matter.

\_\_\_\_\_  
Date signed

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Relationship to entity, or  
Authority to receive service of process

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY

Debra Olson, )  
)  
Plaintiff, )  
)  
v. ) Case No. 1016-CV31901  
)  
St. Luke's Hospital of Kansas City )  
)  
Defendant. )

FILED  
JACKSON CO. MO  
2010 DEC -9 AM 11:45

ANSWER TO PETITION FOR DAMAGES<sup>1</sup>

For its Answer to Plaintiff's Petition for Damages, Defendant Saint Luke's Hospital of Kansas City ("Saint Luke's") provides the following:

**PARTIES**

1. *Plaintiff Debra Olson (hereinafter "Plaintiff") is an individual resident of Kansas City, Jackson County, Missouri.*

ANSWER: Admitted upon information and belief.

2. *Defendant St. Luke's Hospital of Kansas City (hereinafter "St. Luke's") is a Missouri Non-Profit Corporation doing business in Jackson County, Missouri.*

ANSWER: Admitted.

**JURISDICTION AND VENUE**

3. *Jurisdiction lies in this court in that Plaintiff's cause of action accrued in the State of Missouri.*

ANSWER: Paragraph 3 states a legal conclusion that does not require a response. To the extent a response is required, admitted Plaintiff's Petition for Damages alleges a cause of action accruing in Missouri, but denied Saint Luke's took any action giving rise to such cause of

<sup>1</sup>For the Court's convenience, Saint Luke's includes Plaintiff's allegations in italics herein.



action. Denied as to any and all remaining allegations.

4. *Venue in this Court is appropriate in that Plaintiff's causes of action arise from acts that occurred in Kansas City, Jackson County, Missouri.*

**ANSWER:** Paragraph 4 states a legal conclusion that does not require a response. To the extent a response is required, admitted Plaintiff's Petition for Damages alleges a cause of action arising out of acts occurring in Jackson County, Missouri, but denied Saint Luke's took any action giving rise to such cause of action. Denied as to any and all remaining allegations.

#### **FACTUAL ALLEGATIONS COMMON TO ALL COUNTS**

5. *Plaintiff was hired to work for St. Luke's in October of 2007 and was terminated from her employment on October 5, 2009.*

**ANSWER:** Admitted.

6. *Throughout the course of her employment, Plaintiff suffered from orthopedic injuries to her neck and spine, cancer, occipital headaches, and other disabilities.*

**ANSWER:** Paragraph 6 states a legal conclusion that does not require a response. To the extent a response is required, denied upon information and belief.

#### **FACTS COMMON TO ALL COUNTS**

7. *Throughout the course of her employment by Defendant St. Luke's, Plaintiff was disabled as defined by the Missouri Human Rights Act at §213.010 RSMo.*

**ANSWER:** Paragraph 7 states a legal conclusion that does not require a response. To the extent a response is required, denied upon information and belief.

8. *Throughout the course of her employment by Defendant St. Luke's, Plaintiff was capable of performing her assigned duties, if provided with reasonable accommodations for her disabilities, including an ergonomically correct workspace, a telephone cradle, and altered work*

*schedule and other accommodations.*

**ANSWER:** Upon information and belief, admitted Plaintiff was capable of performing her assigned duties. Denied as to any and all remaining allegations.

9. *Throughout the course of her employment by Defendant St. Luke's, Plaintiff requested reasonable accommodations for her disabilities, including a physician ordered ergonomic alteration of her workspace, which were denied.*

**ANSWER:** Denied.

10. *Defendant cited Plaintiff's "poor quality of work" as a pre-textual reason for Plaintiff's termination.*

**ANSWER:** Admitted Saint Luke's terminated Plaintiff's employment because of her unsatisfactory work quality. Denied as to any and all remaining allegations.

#### **COUNT 1: MISSOURI HUMAN RIGHTS ACT**

11. *Plaintiff filed a charge of discrimination alleging racial discrimination with the Missouri Commission on Human Rights on May 17, 2010.*

**ANSWER:** Admitted Plaintiff filed a Charge of Discrimination with the Missouri Commission on Human Rights on May 17, 2010. Denied the Charge of Discrimination alleged racial discrimination. Denied as to any and all remaining allegations.

12. *The Missouri Commission on Human Rights issued Plaintiff a Notice of Right to Sue on July 21, 2010.*

**ANSWER:** Admitted the Missouri Commission on Human Rights issued a Notice of Right to Sue dated July 21, 2010. Denied as to any and all remaining allegations.

13. *Plaintiff's disability was a contributing factor in St. Luke's decision to terminate Plaintiff's employment.*

ANSWER: Denied.

14. *Defendant St. Luke's stated reasons for firing Plaintiff were pretextual.*

ANSWER: Denied.

15. *The actions of Defendant in firing Plaintiff were willful, wanton, and in reckless disregard of Plaintiff's rights.*

ANSWER: Denied.

16. *As a direct and proximate result of Defendant's decision to terminate her employment, Plaintiff suffered damages including, but not limited to, the following:*

- a. Lost wages and medical benefits;*
- b. Mental and emotional distress;*
- c. Damage to Plaintiff's reputation and future employment prospects;*
- d. Other damages, the nature and extent of which are not presently know.*

ANSWER: Denied.

#### **ANSWER TO ALL ALLEGATIONS**

Saint Luke's denies each and every allegation in Plaintiff's Petition for Damages not specifically admitted in this Answer.

#### **AFFIRMATIVE AND OTHER DEFENSES**

1. Plaintiff's Petition for Damages fails in whole or in part to state a claim upon which relief can be granted against Saint Luke's.

2. Plaintiff's claim(s) are barred in whole or in part by the applicable statutes of limitations and/or by the requisite administrative filing deadlines.

3. Plaintiff's claim(s) are barred in whole or in part to the extent Plaintiff failed to exhaust required administrative remedies and/or to the extent her claims exceed the claims raised in any Charge of Discrimination.

4. This Court lacks jurisdiction over some or all of Plaintiff's claims.

5. Plaintiff's claim(s) are barred in whole or in part by the doctrines of laches, estoppel, waiver, and/or unclean hands.

6. Saint Luke's is an equal opportunity employer that does not discriminate against applicants or employees on any prohibited basis.

7. To the extent that Plaintiff purports to assert a claim of disability discrimination in the termination of her employment, Plaintiff cannot establish her alleged disability was a contributing factor in the termination of her employment.

8. To the extent that Plaintiff purports to assert a claim of disability discrimination based on failure to accommodate, Plaintiff cannot establish she ever requested an accommodation and/or that the alleged accommodation sought was reasonable.

9. Saint Luke's' actions with respect to Plaintiff were non-discriminatory, based on legitimate reasons, and carried out in the good faith exercise of Saint Luke's' reasonable business judgment.

10. Saint Luke's in good faith alleges Plaintiff has failed to mitigate her claimed damages.

10. To the extent Plaintiff recovers any damages based on her claims, the existence of which Saint Luke's specifically denies, Saint Luke's are entitled to a set-off or credit for amounts Plaintiff earned or could have earned if she had mitigated her claimed damages.



12. Plaintiff is not entitled to recover any punitive damages, the existence of which Saint Luke's specifically denies, because Plaintiff has not set forth and cannot set forth facts sufficient to support a claim for such damages, because Saint Luke's adopted policies and practices in support of its non-discrimination obligations and in good faith attempted to comply with those obligations, and because any Saint Luke's employee who engaged in conduct with respect to Plaintiff as alleged in her Petition, the existence of which conduct Saint Luke's specifically denies, lacked sufficient authority to subject Saint Luke's to punitive damages.

13. Plaintiff's prayer for punitive damages violates the Eighth and Fourteenth Amendments to the United States Constitution, as well as the Missouri Constitution.

14. Any injury to Plaintiff, the existence of which Saint Luke's specifically denies, was caused by Plaintiff and/or by third parties over whom Saint Luke's had no control or who were acting outside the course and scope of their employment with Saint Luke's, not by Saint Luke's.

15. Saint Luke's is not liable for any alleged discrimination, the existence of which Saint Luke's specifically denies, because Saint Luke's had reasonable measures in place to prevent and/or to correct such discrimination, and Plaintiff unreasonably failed to avail herself of such measures.

16. Saint Luke's reserves the right to assert additional defenses as they become evident through discovery or investigation.

WHEREFORE, having fully answered Plaintiff's Petition for Damages, Saint Luke's requests this Court to enter judgment in its favor and against Plaintiff for attorney's fees, costs, and expenses occurred herein.

Respectfully submitted,

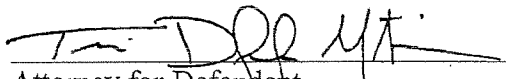
  
Jeffrey D. Hanslick MO Bar No. 46693  
Traci Daffer Martin MO Bar No. 59796  
Husch Blackwell LLP  
4801 Main Street, Suite 1000  
Kansas City, Missouri 64112  
Telephone: (816) 983-8000  
Facsimile: (816) 983-8080  
[jeffrey.hanslick@huschblackwell.com](mailto:jeffrey.hanslick@huschblackwell.com)  
[traci.martin@huschblackwell.com](mailto:traci.martin@huschblackwell.com)  
**Attorneys for Defendant**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was sent via U.S. Mail this 9th day  
of December, 2010, to:

Mark E. Meyer  
Andrew C. Schendel  
818 Grand Blvd., Suite 700  
Kansas City, Missouri 64106  
816.283.0303  
816.842.0016 FAX  
[mmeyer@castlelaw-kc.com](mailto:mmeyer@castlelaw-kc.com)  
[aschendel@castlelaw-kc.com](mailto:aschendel@castlelaw-kc.com)

**Attorneys for Plaintiff**

  
Attorney for Defendant

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY

DEBRA OLSON,

Plaintiff,

v.

SAINT LUKE'S HOSPITAL  
OF KANSAS CITY,

Defendant.

Case No. 1016-CV31901

FILED - CIRCUIT COURT  
JACKSON CO., MO-KC  
11 JAN 11 AM 11:19

CERTIFICATE OF SERVICE

I hereby certify that Defendant Saint Luke's' First Interrogatories to Plaintiff and Defendant Saint Luke's' First Requests for Production of Documents to Plaintiff were served this 10th day of January, 2011, via electronic mail and U.S. mail postage prepaid to the following:

Mark E. Meyer  
Andrew C. Schendel  
Castle Law Office  
818 Grand Blvd., Suite 700  
Kansas City, Missouri 64106  
[mmeyer@castlelaw-kc.com](mailto:mmeyer@castlelaw-kc.com)  
[aschendel@castlelaw-kc.com](mailto:aschendel@castlelaw-kc.com)

Respectfully Submitted:

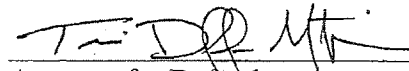


Jeffrey D. Hanslick, MO Bar No. 46693  
Traci Daffer Martin MO Bar No. 59796  
Husch Blackwell LLP  
4801 Main Street, Suite 1000  
Kansas City, MO 64112  
Telephone: 816-983-8000; Fax: 816-983-8080  
[jeffrey.hanslick@huschblackwell.com](mailto:jeffrey.hanslick@huschblackwell.com)  
[traci.martin@huschblackwell.com](mailto:traci.martin@huschblackwell.com)  
ATTORNEYS FOR DEFENDANT

**CERTIFICATE OF SERVICE**

This is to certify that on the 10th day of January, 2011, a copy of the above and foregoing was deposited in the United States mail, postage pre-paid, and via electronic mail, to:

Mark E. Meyer  
Andrew C. Schendel  
Castle Law Office  
818 Grand Blvd., Suite 700  
Kansas City, Missouri 64106  
[mmeyer@castlelaw-kc.com](mailto:mmeyer@castlelaw-kc.com)  
[aschendel@castlelaw-kc.com](mailto:aschendel@castlelaw-kc.com)  
**ATTORNEYS FOR PLAINTIFF**

  
\_\_\_\_\_  
Attorney for Defendant



IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY

DEBRA OLSON,

Plaintiff,

v.

SAINT LUKE'S HOSPITAL  
OF KANSAS CITY,

Defendant.

Case No. 1016-CV31901

SUBSTITUTION OF COUNSEL

COMES NOW the undersigned attorney, Jeffrey R. Lang, who enters his appearance on behalf of Plaintiff in place of Mark Meyer who withdraws pursuant to the attached Exhibit "A".

Respectfully Submitted,

CASTLE LAW OFFICE of KANSAS CITY, P.C.

  
Jeffrey R. Lang MBN 34588  
818 Grand Blvd, Suite 700  
Kansas City, Missouri 64106  
(816) 283-0303 phone  
(816) 842-0016 fax  
jlang@castlelaw-kc.com  
ATTORNEY FOR PLAINTIFF

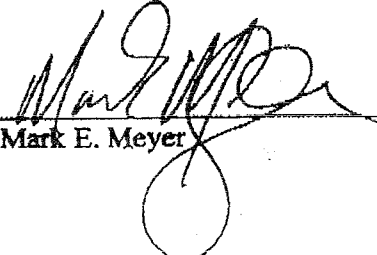
CERTIFICATE OF SERVICE

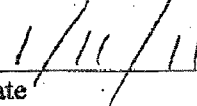
I certify that a copy of the foregoing was served via U.S. Mail, postage prepaid, and addressed this 24 day of January 2011, to:

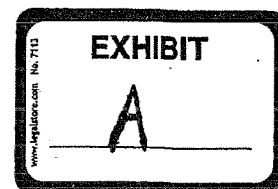
Jeffrey D. Hanslick  
Traci Daffer Martin  
Husch Blackwell LLP  
4801 Main Street, Suite 1000  
Kansas City, MO 64112  
ATTORNEYS FOR DEFENDANT

**NOTICE OF WITHDRAWAL**

COMES NOW Attorney Mark E. Meyer (Mo. Bar No. 51786, Ks. Bar No. 20988), and states that his employment relationship with Castle Law Office of Kansas City, P.C. has terminated as of January 7, 2011. Accordingly, notice is hereby given that Mark E. Meyer shall withdraw as counsel of record from all pending cases in which Mark E. Meyer has entered an appearance on behalf of Castle Law Office of Kansas City, P.C. Andrew Schendel and Jeffrey Lang shall remain as counsel of record for all parties represented by Mark E. Meyer while employed by Castle Law Office of Kansas City, P.C.

  
Mark E. Meyer

  
Date



IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY

DEBRA OLSON,

Plaintiff,

v.

ST. LUKE'S HOSPITAL OF KANSAS CITY,

Defendant.

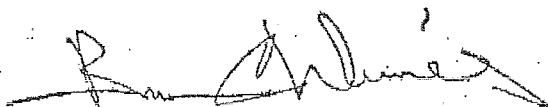
Case No.: 1016-CV31901

Division: 18

NOTICE OF CASE MANAGEMENT CONFERENCE

IT IS HEREBY ordered that this matter is set for CASE MANAGEMENT  
CONFERENCE on Monday, February 28, 2011 at 9:00 a.m.

IT IS SO ORDERED.



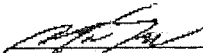
February 7, 2011  
Date

Judge Brian C. Wimes, Division 18

I hereby certify that copies of the foregoing were  
duly faxed or mailed this day to all counsel of record.

Jeffrey R. Lang, Esq.  
Andrew C. Schendel, Esq.  
Fax: (816) 842-0016

Jeffrey D. Hanslick, Esq.  
Traci Daffer Martin, Esq.  
Fax: (816) 983-8080

  
Matt N. Sparks  
Law Clerk, Division 18

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY

DEBRA OLSON,

Plaintiff,

v.

SAINT LUKE'S HOSPITAL  
OF KANSAS CITY,

Defendant.

Case No. 1016-CV31901

ORDER SUBSTITUTING COUNSEL

NOW ON THIS <sup>th</sup> 10 day of ~~January~~ February 2011 comes on for consideration movant's *Substitution of Counsel* and the Court being duly advised in the premises and good cause having been shown, it is therefore

18

ORDERED, ADJUDGED AND DECREED that Mark Meyer has withdrawn as counsel for Plaintiff, and

FURTHER ORDERED, ADJUDGED AND DECREED that Jeffrey Lang is counsel for Plaintiff.

Judge



IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY

DEBRA OLSON,

Plaintiff,

v.

ST. LUKE'S HOSPITAL OF KANSAS CITY,

Defendant.

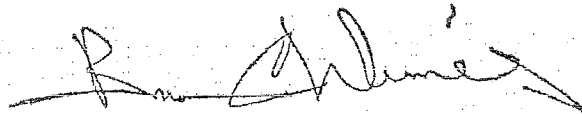
Case No.: 1016-CV31901

Division: 18

NOTICE OF CASE MANAGEMENT CONFERENCE

IT IS HEREBY ordered that this matter is set for CASE MANAGEMENT  
CONFERENCE on **Monday, March 7, 2011 at 9:00 a.m.**

IT IS SO ORDERED.



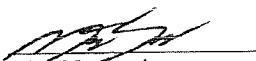
February 28, 2011  
Date

Judge Brian C. Wimes, Division 18

I hereby certify that copies of the foregoing were  
duly faxed or mailed this day to all counsel of record.

Jeffrey R. Lang, Esq.  
Andrew C. Schendel, Esq.  
Fax: (816) 842-0016

Jeffrey D. Hanslick, Esq.  
Traci Daffer Martin, Esq.  
Fax: (816) 983-8080

  
Matt N. Sparks  
Law Clerk, Division 18

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY, MISSOURI

DEBRA OLSON,  
Plaintiff,

v.

ST. LUKE'S HOSPITAL OF KANSAS CITY,  
Defendant.

Case No.: 1016-CV31901  
Division: 18

**CIVIL CASE MANAGEMENT SCHEDULING ORDER**

The Court hereby enters the following Scheduling Order:

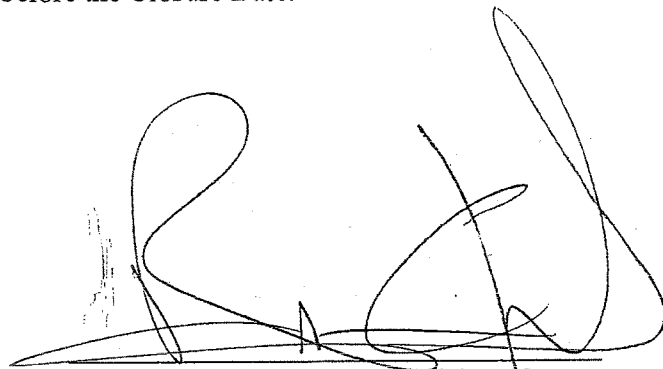
Plaintiff appears by counsel, Andrew Schendel. Defendant appears by counsel, Traci Daffer Martin.

1. This case is set for trial on January 9, 2012 at 9:00 a.m.
2. This case is set for a pretrial conference on January 4, 2011 at 1:30 p.m.
3. The parties shall amend all pleadings and add parties by May 10, 2011.
4. Plaintiff's expert shall be designated by April 1, 2011.
5. Defendant's expert shall be designated by May 2, 2011.
6. All discovery shall be completed by September 21, 2011.
7. Any dispositive motions shall be filed by October 11, 2011.
8. The parties are ordered to participate in mediation pursuant to Local Rule 17 no later than September 2, 2011. Each party shall personally appear at the mediation and participate in the process. A representative from each party with settlement authority shall attend the mediation. Each party shall pay for their respective pro-rata cost of the mediation directly to the mediator.

9. The dispositive motion date, pretrial date, and trial date shall be changed only by leave of Court.

10. Discovery may not be conducted after the Closure Date except by agreement of the parties, or by order of the Court, for good cause shown, upon the filing of a motion to extend discovery **prior** to the original Closure Date. Nothing contained herein shall excuse a party from the continuing obligation to update responses to discovery or to respond to discovery requests made before the Closure Date.

3/7/2011  
Date

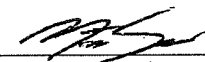


Judge Brian C. Wimes, Division 18

I hereby certify that copies of the foregoing were  
duly faxed/mailed/delivered in open court this day to:

Jeffrey R. Lang, Esq.  
Andrew C. Schendel, Esq.  
Fax: (816) 842-0016

Jeffrey D. Hanslick, Esq.  
Traci Daffer Martin, Esq.  
Fax: (816) 983-8080



Matt N. Sparks  
Law Clerk, Division 18

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY

DEBRA OLSON,  
Plaintiff,

v.

ST. LUKE'S HOSPITAL OF KANSAS CITY,  
Defendant.

Case No.: 1016-CV31901  
Division: 18

**PRETRIAL ORDER**

The Court hereby enters the following Order:

The parties shall exchange a list of witnesses and exhibits ten days prior to the pretrial conference.

Deposition Designations:

1. Any depositions used at trial by an asserting party shall be identified to a defending party ten days prior to the pretrial conference using a distinctive highlighting color.
2. The defending party shall provide counter designations in a contrasting color and objections to the asserting party's designations in a third color.
3. Counter designations and objections shall be returned to asserting party five days prior to the pretrial conference.
4. All objections to all deposition designations shall be presented to the Court at the pretrial conference.

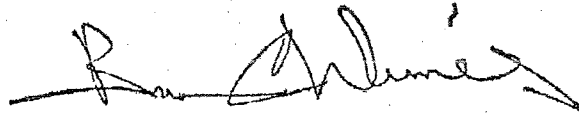
On or before the pretrial conference, the parties will provide the following to the court:

1. A list of witnesses and exhibits, with all exhibits marked.
2. One complete set of jury instructions with supporting citations and one set without citations.

3. An electronic copy of all jury instructions in Word format.
4. Any trial briefs.
5. Any motions in limine.

A representative of each party with settlement authority must be available by telephone.

March 7, 2011  
Date




Judge Brian C. Wimes, Division 18

I hereby certify that copies of the foregoing were  
duly faxed/mailed/delivered in open court this day to:

Jeffrey R. Lang, Esq.  
Andrew C. Schendel, Esq.  
Fax: (816) 842-0016

Jeffrey D. Hanslick, Esq.  
Traci Daffer Martin, Esq.  
Fax: (816) 983-8080

  
Matt N. Sparks  
Law Clerk, Division 18

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY, MISSOURI

DEBRA OLSON,  
Plaintiff,

v.

ST. LUKE'S HOSPITAL OF KANSAS CITY,  
Defendant.

Case No.: 1016-CV31901  
Division: 18

**AMENDED CIVIL CASE MANAGEMENT SCHEDULING ORDER**

The Court hereby enters the following Scheduling Order:

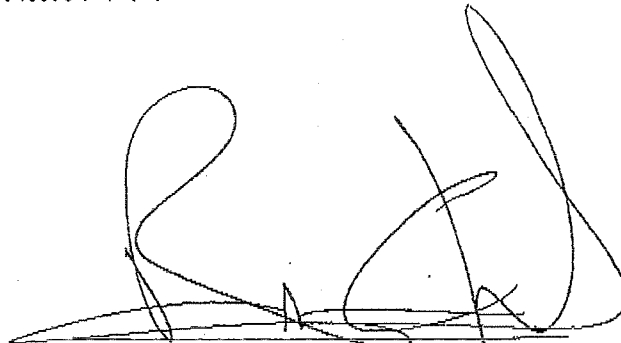
Plaintiff appears by counsel, Andrew Schendel. Defendant appears by counsel, Traci Daffer Martin.

1. This case is set for trial on January 9, 2012 at 9:00 a.m.
2. This case is set for a pretrial conference on January 5, 2012 at 1:30 p.m.
3. The parties shall amend all pleadings and add parties by May 10, 2011.
4. Plaintiff's expert shall be designated by April 1, 2011.
5. Defendant's expert shall be designated by May 2, 2011.
6. All discovery shall be completed by September 21, 2011.
7. Any dispositive motions shall be filed by October 11, 2011.
8. The parties are ordered to participate in mediation pursuant to Local Rule 17 no later than September 2, 2011. Each party shall personally appear at the mediation and participate in the process. A representative from each party with settlement authority shall attend the mediation. Each party shall pay for their respective pro-rata cost of the mediation directly to the mediator.



9. The dispositive motion date, pretrial date, and trial date shall be changed only by leave of Court.
10. Discovery may not be conducted after the Closure Date except by agreement of the parties, or by order of the Court, for good cause shown, upon the filing of a motion to extend discovery prior to the original Closure Date. Nothing contained herein shall excuse a party from the continuing obligation to update responses to discovery or to respond to discovery requests made before the Closure Date.

3/7/2011  
Date

  
Judge Brian C. Wimes, Division 18

I hereby certify that copies of the foregoing were  
duly faxed/mailed/delivered in open court this day to:

Jeffrey R. Lang, Esq.  
Andrew C. Schendel, Esq.  
Fax: (816) 842-0016

Jeffrey D. Hanslick, Esq.  
Traci Daffer Martin, Esq.  
Fax: (816) 983-8080

  
Matt N. Sparks  
Law Clerk, Division 18

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY

DEBRA OLSON

Plaintiff,

vs.

SAINT LUKE'S HOSPITAL  
OF KANSAS CITY

Defendant.

Case No. 1016-CV31901

Division 18

CERTIFICATE OF SERVICE

COMES NOW Plaintiff Debra Olson, appearing by and through counsel, and certifies that responses to Defendant's First Interrogatories and First Requests for Production to Plaintiff were served on defense counsel via first class mail at the following address on March 15, 2011:

Jeffrey D. Hanslick  
Traci Daffer Martin  
Husch Blackwell LLP  
4801 Main Street, Suite 1000  
Kansas City, MO 64112  
ATTORNEYS FOR DEFENDANT

Respectfully Submitted,

CASTLE LAW OFFICE of KANSAS CITY, P.C.



Jeffrey R. Lang, #34588  
Andrew C. Schendel, #61186  
818 Grand Blvd, Suite 700  
Kansas City, Missouri 64106  
(816) 283-0303 phone  
(816) 842-0016 facsimile  
jlang@castlelaw-kc.com  
aschendel@castlelaw-kc.com  
ATTORNEYS FOR PLAINTIFF

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY

DEBRA OLSON

Plaintiff,

vs.

SAINT LUKE'S HOSPITAL  
OF KANSAS CITY

Defendant.

Case No. 1016-CV31901

Division 18

**PLAINTIFF'S DESIGNATION OF EXPERT WITNESSES**

COMES NOW Plaintiff, by and through counsel, and designates the following non-retained expert witnesses who are expected to testify about their care, treatment and evaluation of the Plaintiff, and the nature and extent of her disabilities.

**Dr. Michael Ausmus, M.D.**  
20 N.E. Saint Luke' Blvd., Suite 200  
Lee's Summit, MO

**Dr. James A. Stuckmeyer, M.D.**  
1300 NW Jefferson Ct.  
Blue Springs, MO 64015

**Kansas City Cancer Center**  
4801 Northeast Goodview Circle  
Lee's Summit, MO 64064

Particular providers affiliated with Kansas City Cancer Center include those providers identified in Plaintiff's medical records

**Heartland Hand & Spine Orthopedic Center**  
10730 Nall Ave., Suite 200  
Overland Park, KS 66211

Particular providers affiliated with Heartland Hand & Spine Orthopedic Center include those providers named in Plaintiff's medical records, including Dr. Alexander Bailey and Dr. Perry Anath.

**Kansas City Orthopedic Institute  
3651 College Blvd.  
Leawood, KS 66211**

Particular providers affiliated with Kansas City Orthopedic Institute include those providers named in the Plaintiff's medical records, including Dr. Chris Barnthouse, Dr. Allen Moore

**St. Luke's Hospital  
4320 Wornall Rd.  
Kansas City, MO 63150**

Particular providers affiliated with St. Luke's Hospital include those providers named in the Plaintiff's medical records, including Dr. Brad Steinle, Dr. Susan Oppen, Dr. Scott Steelman, Dr. John Green, Dr. Kim Brown, and Dr. Kelly Young.

Respectfully Submitted,

CASTLE LAW OFFICE of KANSAS CITY, P.C.



Andrew C. Schendel, #61186  
818 Grand Blvd, Suite 700  
Kansas City, Missouri 64106  
(816) 283-0303 phone  
(816) 842-0016 facsimile  
aschendel@castlelaw-kc.com  
ATTORNEYS FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was served via U.S. Mail, postage prepaid, this 1<sup>st</sup> day of April, 2011 to:

Jeffrey D. Hanslick  
Traci Daffer Martin  
Husch Blackwell LLP  
4801 Main Street, Suite 1000  
Kansas City, MO 64112  
ATTORNEYS FOR DEFENDANT



IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY

DEBRA OLSON

Plaintiff,

vs.

SAINT LUKE'S HOSPITAL  
OF KANSAS CITY

Defendant.

Case No. 1016-CV31901

Division 18

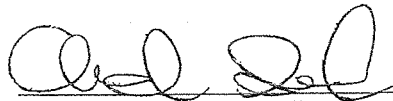
CERTIFICATE OF SERVICE

COMES NOW Plaintiff Debra Olson, appearing by and through counsel, and certifies that Plaintiff's First Requests for Production of Documents to Defendant were served on defense counsel via first class mail and e-mail at the following address on April 1, 2011:

Jeffrey D. Hanslick  
Traci Daffer Martin  
Husch Blackwell LLP  
4801 Main Street, Suite 1000  
Kansas City, MO 64112  
jeffrey.hanslick@huschblackwell.com  
traci.martin@huschblackwell.com  
ATTORNEYS FOR DEFENDANT

Respectfully Submitted,

CASTLE LAW OFFICE of KANSAS CITY, P.C.



Andrew C. Schendel, #61186  
818 Grand Blvd, Suite 700  
Kansas City, Missouri 64106  
(816) 283-0303 phone  
(816) 842-0016 facsimile  
aschendel@castlelaw-kc.com  
ATTORNEYS FOR PLAINTIFF